DAILY MEMPHIS APPEAL.

ESTABLISHED 1840.

MEMPHIS, TENN., THURSDAY, FEBRUARY 15, 1877.

VOL XXXVI...NUMBER 39

CLOSING RATES Yesterday of cotton and gold: Liverpool cotton, 6 3-4d. New York cotton, 12 7-8c. New Orleans cotton, 12 1-4c. Memphis cotton, 12 I-8c. New York gold, 105 5-8.

WEATHER INDICATIONS.

WAR DEST., OFFICE CH. SIG. OFFICER, WASHINGTON, February 15, 1 a.m. For Tenneszce and Ohio valley, fall barometer, warmer southerly winds, cloudy and threatening weather.

OBSERVATIONS YESTERDAY. War Dep²t, Signal Service U. S. Army, | Weinesday, Feb. 14, 1877, 10:08 p.m.

Proceedings of Congress-The Majority

Resolution Declaring Florida for

Tilden Passed the House.

Bar, Ther. Wind. Weath Mr. Hale said that the gentleman from Tennessee (Whitthorne) had, last year, dis-covered a method for improving the navy of the United States, which was by the impeach-ment of the secretary of the navy. That at-N. Brisk. Cloudy.
N.E. Fresh. Clear.
S.E. Light. Cloudy.
N. Gentle. Cloudy.
S.E. Light. Cloudy.
N.E. Fresh. Cloudy.
N.W. Gentle. Lt. Rain.
E. Gentle. Cloudy. W. M'ELBOY, Sergeant, WASHINGTON.

A Commission Suggested to Decide the

Future Naval Policy of the United States.

Chandler on the Witness Stand Again-Chaffee, of Illinois-Salary Appropriations, Etc.

SENATE.

Washington, February 14.-Joint reso lations of the Minnesota legislature, asking an appropriation for the improvement of Red river of the north, was referred. A bill appropriating two hundred and fifty thousand dollars for a fireproof building for the National museum was placed on the cal-

A petition for the widow of Rear-Admiral ilkes, praying that her name may be placed on the pension roll, was referred.

A bill removing the political disabilities of eph E. Johnston, of Virginia, passed. A bill providing for the preparation and publication of a new edition of the revised statutes of the United States, passed. ablication of a new edition of the revised atutes of the United States, passed.

Senator Conking asked that a bill to produce for the district of Illinois; he never took the oath of office or entered into

vide for the distribution of awards, made un-der the convention between the United States made by Senator Spencer, who had a telegram from a constituent saying that there any but a verbal notice of his appointment. matter and that he was now tory of and supplemental to the act of March

oral commission passed.

HOUSE.

able for the resumption of specie payments,

and also whether any bonds or other interest-

searing obligations have been issued during

actually owned by the treasury avail-

27, 1866, granting lands to aid in the con-druction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific ocean. Referred,
The bill is a copy of the so-called compromise Texas Pacific bill recently reported to the house of representatives by Mr. Lamar, from the committee on Pacific railroads.

The senate resumed the consideration of ished business, being a bill to amend the | ceived it from the President or not; did not Pacific railroad acts, so as to create a sinking know that it was ante-dated, and was not fund for the liquidation of the indebtedness aware that Brewster had testified himself; he us the government by the Pacific railroad wrote on November 14th: "It is the practice company, when Senator Boutwell withdrew of the department to accept resignations as the amendment, submitted by him several of time past, if tendered in that manner." providing that the payments of hundred and fifty thousand

per annum to be made by the rail-road company to the credit of the sinking Further testimony of Chandler is uninterfund shall be in addition to all the payments or requirements from the company under the original acts, instead of in hen of all payments or requirements under those acts. Senator Booth renewed the amendment. He also submitted an amendment to the sec-Senator Booth renewed the amendment. ond section of the bill of the railroad comcific and Union Pacific companies shall each pay into the treasury of the United States, seven hundred and fifty thousand dollars per annum, in semi-annual instalments, on the hear of anything of the kind while the board of the changing of the returns that the czar on the twenty-rourum instalment instalments, on the hear of anything of the kind while the board in that the czar on the twenty-rourum instalment will order the mobilization of six more army corps. Russia has already decided upon her hear of anything of the kind while the board.

The changing of the returns commencing on the first day of October, 1877, in lawful money, until said sums, with inter-est thereon, as hereinafter provided, shall be sufficient, when added to other sums to the credit of the sinking fund, to pay off and ex-tinguish the government bonds advanced, police, and the sergeant at arms said he thought Brush had been discharged as a witwith six per cent, thereon, from their respective dates up to date. When they are so paid

Salary Appropriations. placed to the credit of said sinking fund shall be credited and added thereto semi-annually, ded, however, that it the foregoing provision however, that if the foregoing provision is prove insufficient to extinguish government bonds and interthereon at majority, the semi-anpayments shall be increased to sum as will be sufficient for that pure. He also moved to strike out the lifth on of the bill reported by the committee alroads, which provides that each of railroad compenies shall be entitled at time to auticinate any or all of the pay the judgments of the court of claims. shall prove insufficient to extinguish est, thereon at majurity, the semi-ansection of the bill reported by the committee said railroad companies shall be entitled at pay the judgments of the court of claims. any time to anticipate any or all of the emi-annual payments by the payment to the | The President's Specie Payment Bill.

rate of six per cent, per annum, but the sum so paid shall not be less than one rail-lion dollars at any one time. He also sub-payment, and submitted to him, as it will mitted an addittional section of the bill providing that congress shall have the power at any time to amend, after or repeal the act.
Senator Harvey submitted an amendment, providing that nothing in any of the Pacific railroad acts should be construed so as to expression that the railroad acts should be construed so as to expression to believe that he will not seriously object to the changes. The bill provides for the use of thirty-year four per empt from taxation, by State authority, the cent. bonds, as already authorized by the act lands which the companies have earned by of July, 1870, and by the redemption act of the construction of their roads. The question being on the amendment of Senator to be funded into these bonds is \$100,000,000, Booth, providing that the seven mindred and fifty thousand dollars to be paid by the companies to the credit of the sinking fund shall backs, is authorized to be withdrawn in exbe in addition to other payments, instead of in lieu of other payments or requirements, it the coin is to be increased to the aggregate of as agreed to—yeas 22, nays 20. \$50,000,000, including the \$50,000,000 at Pending discussion the senate went into an present authorized. The theory of the proexecutive session, and when the doors were reopened the railroad bill was laid aside with the understanding that it should be unfinished business to-morrow.

The theory of the provision is that silver change will take the place of small greenback ones. These are limited by the act of 1873 to \$35,000,-600, but the amount now outstanding is be-The senate bill appropriating seven thousand dollars to pay the expenses of the elect-Senator Sargent, from the confer-ence committee on the bill appropriating three numbered and fifty thousand dollars to penses of engraving, printing, etc., of the supply the deficiency in the appropriation for

pay a price exceeding fifty cents per thousand ems for composition, and ferty cents an hour for time work in binding, etc.

Senator Windom, from the committee on that the votes of Louisiana and Oregon must appropriations, reported back the legislative, be counted for Hayes. I regard the position unlead and executive appropriation bill, with emdry amendments. Phiced on the calendar, as perfectly impregnable. I believe Hayes as Mr. Sayler asked leave to offer a resolution, arecting the secretary of the treasury to re-

of its government.'

the past or present year in the purchase of any such com or bullion. Consideration was resumed of the resolucupied with the examination of Alfred B. Henman and A. H. Show, of Detroit, Michitions reported by the special committee charged with the investigation of the recent election in Florida, and Mr. Thompson, chairment of the committee, addressed the house. He stated that the university had been treated with the greatest fairness, and any charge to the contrary was utterly untrue. The material of Mr. Thompson, chairment of the contrary was utterly untrue. The material of Mr. Thompson, chairment of the care of Material Dr. All Show, of Detroit, Michigan, and Leading hatters of the city.

SEND to H. G. Hollenberg for the tollowing new songs: Come Home, my Darling; which list shall be signed, certified and transmitted that they should make a list of all persons voted for and the number of votes for each, ing new songs: Come Home, my Darling; Little Lena, the Lassie I Love; Happy Again mitted, sealed, to the seat of general government, directed to the president of the senate. The president of the senate then, in the

jority resolution declared Tilden's electors duly elected, and was adopted—yeas 142, nays 82, a party vote except Mr. Purman, who voted in the affirmative.

The house went into committee of the A certificate will be issued to one Demo-

whole, Mr. Mills, of Texas, in the chair, on the naval appropriation bill, which appropriates twelve million, four hundred and eighty-

Mr. Whitthorne said that in the proper place he intended to offer as an amendment to the bill reported from the committee on naval affairs, to authorize the appointment of a mixed commission to decide upon the future naval policy of the United States. He called attention to the fact that, since 1861, there had been expended on the navy over six hun-dred millions of dollars, and yet it was not as fficient to-day as it was in 1861.

tempt had failed; now he came forward with a proposition for a commission, which was to be a panacea for all the ills which affected the navy department. The commission was to be made up of three persons who had passed their lives in the naval service, and of six persons who, in all probability, would know nothing whatever of the subject which hey were to inquire into. He denied that the

out coming to a vote on the amendment the

for the deficiency in the appropriations for the support of the public printing office was agreed to.

The house then took a recess untill halfpast seven o'clock this evening.

The evening session will be for the considration of the naval appropriation bill.

EVENING SESSION. The house met at half-past seven o'clock and went into committee of the whole, Mr. Mills [Texas] in the chair, on the naval appropriation bill. The pending question was on the amendment increasing the appropriation for the pay of officers and men in the navy from six million two hundred and fifty thousand to seven million dollars. After a ong debate the amendment was rejected.
On motion of Mr. Seelye, five thousand lollars was appropriated for the expense of observations on the transit of Venus.

Without finishing the bill the committee rose and the house took a recess untill ten

The Case of Elector Chaffee, of Illinois. Washington, February 14.—George D. Chaffee, one of the Illinois electors, testified to-day before the house committee on powers, etc. He received a verbal notice of having any bond, or had any papers from or in con-

'clock to-morrow morning.

nection with the government, but has signed some affidavits; never resigned or tendered A copy of the record of the court showing Chaffee's appointment was put in evidence.

What Old Zach Don't Know About Brewster's Resignation. WASHINGTON, February 14.—Zach Chandler, secretary of the interior, was called by leges, etc., and produced the papers relating to the resignation and application for reappointment of O. H. Browster, Louisiana elector. He said that he supposed Brewster's letter of resignation was dated November 15th or 16th; did not know whether he reof seven dollars dollars an elector? Ans.—Not that I know of; I did not even know that he was a candidate.

> Mr. H. Green (colored), assistant secretary of the Louisiana senate, and former minute into this, that he does not know of any alterawas in session. The changing of the returns from Vernon parish was one of those mys-teries which the witness cannot explain. Charles H. Brush, telegraph operator from Florida, reappeared to say he had been appointed a member of the provisional capitol

ness at the time the appointment was made Washington, February 14.—The legis-lative, judicial and executive appropriation bill, as reported to the senate, is amended

Washington, February 14.-A bill has been drafted to meet substantially the recom-mendations of the President in his recent probably be to the committee on ways and means. Its provisions differ in several regreenbacks for bonds or silver coin. The exbonds are limited to one-fourth of one per

cent. Some assurances have been given that proble printing and binding during the current fiscal year, made a report, which was agreed to, and the bill passed. It provides that from and after the present session of congress, the congressional printer shall not New York, February 14.—Judge Mackey,

President will exert his powers benignly to-ward the south, and be a pacificator of the sections," The judge has been addressing port within ten days the actual amount of gold coin and bullion and silver coin and bullion now in the treasury, together with a detailed statement of all ontstanding obligations payable on demand in coin, with the honor, and peace will crown our through his wise and benign administration

> The Oregon Telegrams. WASHINGTON, February 14.—The senate committee on privileges and elections were in session until a very late hour this evening, oc-

A certificate will be issued to one Demo seven thousand, five hundred and twenty-four dollars.

Mr. Whitthorne said that in the proper place he intended to offer as an amendment of the hill recent the bill recent the committee of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that in the proper place he intended to offer as an amendment of the hill recent the said that the s

PORTLAND, November 30. Governor all right; without reward Will issue certificate Tuesday. This is a se cret. The Republicans threaten that if certificate is issued to ignore the Democratic claim and fill the vacancy, and thus defeat the action of the governor. One electora vote must be paid for to recognize a Demo-crat, to secure a majority. Have employed three lawyers. Editor Only, Republican, is one. Lawyers fee, three thousand; will take five thousand for Republican elector. Must raise money. Can't make fee contingent. Sail Saturday. Kelly and Bellinger will not communicate with them. Must return

PORTLAND, December. W. T. Pelton, 15 Gramercy Park, New York: Impossible to convene the legislature. American navy was in a worse condition than it had ever been before. The bill was then considered by sections.

Mr. Hale moved to amend by increasing the appropriation for the pay of officers and seamen of the navy from \$6.250.000, as appropriated in the bill, to \$7,000,000. Without coming to a vote on the appropriate of the navy from \$6.250.000. Without coming to a vote on the appropriate of the navy from \$6.250.000. Without coming to a vote on the appropriate of the navy from \$6.250.000. Without coming to a vote on the appropriate of the telegram arrived. Can't draw the eight. Deposit with baries Dimond, 115 Liberty street, to the order of Bush & Ladd, Salem. Must have it Monday; can't understand. Laughable. Everett outcome the common street of the telegram arrived. Can't draw the eight. Deposit with baries Dimond, 115 Liberty street, to the order of Bush & Ladd, Salem. Must have it Monday; can't understand. Laughable. Everett outcome the common street of the telegram arrived. Can't draw the eight. Deposit with baries Dimond, 115 Liberty street, to the order of Bush & Ladd, Salem. Must have it Monday; can't understand. Laughable. Everett outcome the common street outcome the common street outcome the common street outcome.

W. T. Pelton, 15 Gramercy Park, New York: The conference report on the bill providing of the deficiency in the appropriations for the support of the public printing office was days, or thereabouts. Will have to borrow money on my own responsibility, and trust you can replace.

and because of this the whole vote is thrown out, would that be just? The returning board, had it possessed judicial powers, had

NEW YORK, November 29. J. H. N. Patrick, Portland, Oregon: No. How soon will the governor decide

enator. Answer.

San Francisco, December 6. Hon. James H. Kelly:

No signature.

it Wednesday. T Vier will not fail. DOCTRINAL.

Providing Justice for the Black Hills Country. YANKTON, February 14.—A bill has ing them territorial courts and county officers. The legislature has made a large appropriation for locating and improving three roads from Black Hills to points on the Missouri

river. All that now remains to furnish the large population there with all the facilities of a local government is the ratification of the agreement by the house of representa-tives, the senate having already approved it. The very mild weather of the month past has served to give great impetus to emigration there, and trains are leaving here al-most daily for Black Hills. The legislature has also changed the location of the United States court in the northern district from

Latest Eastern News, London, February 15 .- A dispatch to the

Standard, from Vienna, says that the Sertions of any returns by the clerk or member vian diplomatic agent there has intimated of the board, or by their direction; had no that the czar on the twenty-fourth instant A later telegram from Vienna says that advices from St. Petersburg, Kisheneff and Berlin indicate a decided tendency in the di-

rection of war. It is asserted that the czaro-witch has declared that the commencement of war is imminent. An English physician with Mukhtar Pasha's army in Tiebinje writes to a Stafford charitable company, reporting that the army

s in a dreadful state on account of the insuf ficiency of hospital accommodations, lack of medicines, etc.; that between twenty thirty soldiers are dying daily, and that dysentery and typhoid-fever have appeared and are spreading rapidly. Consumptives, Take Notice!

Every moment of your delay makes you cure more hopeless, and much depends on the judicious choice of a remedy. The amount of testimony in favor of Dr. Schenck's pulmonic syrup, as a cure for consumption, far exceeds all that can be brought to support the pre tentions of any other medicine. See Dr. Schenck's Almanac, containing the certifif py persons of the highest respect have been restored to health after being pronounced incurable by physi-cians of acknowledged ability. Schenck's pulmonic syrup alone has cured many, a these evidences will show; but the cure is or ten promoted by the employment of two othe remedies which Dr. Schenck provides for the These additional remedies are chenck's sea weed tonic and Mandrake pills. By the timely use of these medicines, according to directions, Dr. Schenck certifies that most any case of consumption may be cured. Dr. Schenck is professionally at his principal office, corner Sixth and Arch streets, Philadelphia, every Monday, where all letters

The American Art Journal Company's Premium. Our readers have noticed the magnificent premium offer of this company which ap-

To such as have not already cut out the cer-dificate and sent it for redemption, we would tucive handsome pictures, all prepaid, and sent to any of our readers for twenty-five cents. uch of our readers as have lost or mislaid our issue of the third of January, and cannot send the certificate should cut out this notice and send it with twenty-five cents to American Art Journal company, 184 West Fourth street, Cincinnati, Ohio, and they will receive heir magnificent premiums.

Urbana, O., February 14: A most disas trous fire breke out in the back shed of Kul ingcamp's bakery, at four o'clock this morn-

known. number, 227 Main street.

LEIDY & Co., 2731/2 Main, are the cheap of whom one at least should not be an inhab-and leading hatters of the city.

THE COMMISSION.

The Case of Louisiana--Carpenter Continues his Scathing Review of the Work of the Thieves of the Rulldozed State.

Counsel on Both Sides Allowed Two Hours to Argue the Admissibility of Evidence-Trumbull Resumes his Speech.

He Opens the Question of the Legality of the Kellogg Government, and Argues for a Decision for Tilden.

Washington, February 14.—Mr. Carpen-er, on the reassembling of the electoral com-nission this morning, resumed his argument, intending that the constitution of the United States forbade the conferring of judicial power upon the returning board of Louisiana, and that the law of a State which attempted to cenfer such power was void. One man could not be punished for another's offense, Suppose we take Milwaukee county, where there the Democrats can give five thousand majority, and one hundred of the Republi-cans bulldoze another hundred Republicans, gone outside of its power. The statute re-quires duplicate returns to be made within No. How soon will the governor decide the certificate if you make the obligation contingent on the result in March? It can be done; incremable slightly if necessary.

No signature.

New York, December 1.

J. H. N. Patrick:

Can't you send a special messenger and convene the legislature by Tuesday, and elect the elector necessary? The expense would be paid. See proceedings of other States. Telegraphed you to consult the governor and senator. Answer.

In the deciding the result, and such returns were not made within fifteen days. He read from the report of Messrs. Hoar, Wheeler and Frye to show how this delay could be taken advantage of to change the result, and say they were prepared to show that ten thousand yoters had been disfranchised. Senator Howe went upon the theory that if the plaintiff's agents commit robbery, the defendant's agents may commit robbery also. This was not a matter for Louisiana to settle for herself. The who'e nation was interested in the laws the representatives and senators. laws the representatives and senators in congress may assist in making, and in the President of the United States that her vote would make. Hon. James H. Kelly:

The eight deposited as directed this morning. Let no technicality prevent winning; use your own discretion.

No signature.

New York, December 3.

Hon. James H. Kelly:

Telegraph Hemlock; yet ahead; you shall be reimbursed; do not fail; all important; advise progress.

No signature.

States that her vote would make. He read from the report previously quoted, and said: "Wouldn't Wheeler wake up astonished to find himself elected by the very means he condemned?" He did not deny that there were wrongs perpetrated in the south, but they were brought about by the smart produced by the illegal acts by which fraudulent government was put upon them, and denounced in bitter terms the four men acting as the returning board, who foisted

> diers,
> Mr. Trumbull said he supposed they should now present evidence of fraud, irregularity and illegality on the part of the returning board. Kellogg and others were accused likewise of sins of omission and commission, and ——the same as that known as No. 1 in the

by congress of the agreement with the Sioux by congress of the sioux by congress o

their time on the admissibility of testimony. He thought it was making this commission a court of common pleas, instead of the great tribunal it was intended to be. Senator Edmunds argued that the effect of taking testimony provisionally might be that at the end of ten days they might find ex-dence inadmissible and the whole time wasted.

Judge Bradley thought they should go on in a manner similar to the course pursued in the Florida case. Judge Miller asked if it could not be so arranged that the case could be argued so that when the commission went into consultation,

if it was decided not to admit the evidence, it would not be necessary to hear further argu-Senator Edmunds submitted the following: 'Ordered, That counsel now be heard on the

whole subject as the case now stands, and that four hours on each side be allowed."

Judge Miller thought the effect of this order was to permit the case to be argued as it now stands, leaving the admissibility of the testi-mony to be considered afterward. If that was admitted, of course they would have to come back and listen to argument on it. Representative Abbott was opposed to mixing up the case. If this evidence were ex-cluded, he wanted to hear the argument on

what was left of the case.

Senator Thurman agreed with Representative Abbott, that the case should not be mixed up. He, however, favored the considering of the evidence on both sides before hem, subject to future decisions as to admissibility and force.

dmissibility of evidence. Senator Thurman moved an amendment, even to eight.

Senator Edmunds's proposition was reject-Yeas, 4; nays, 11. The proposition of Judge Strong was greed to without a division.

Judge Bradley moved that the counsel on either side may take, in addition to the two hours allowed to discuss interlocutory questions as to the admissibility of evidence, such additional time as they may desire, to be delucted from the four and a half hours allowed yesterday for general debate.

The commission then took a recess.

RECESS. After the recess, Mr. Trumbull proceeded part of the officials whose duty it was to issue certificates. There was no other tribunal to which application could be made except this tribunal. He spoke of the tribunal as a tribunal of the two houses of congress.

offices at the time of their election.

Justice Bradley—Do you intend that they were Federal office-holde Could it be asked that the constitution had | time they were elected? made no provision against the inauguration of a President by forgery and fraud and by conspiracy between men who certify to his election? He felt humiliated that, as a citizen of this republic, he was called upon to argue this question before a national tribunal. It was not before a canvassing board touching the election of a justice of the peace, but before a national congress having power to go to the very bottom of everything. There was submitted to this commission not only the question "Who were the legal electors" but all matters connected with the double returns. When the act was passed, there was a thrill went through the country; there was i a feeling that whatever the decision was, it would declare the true voice of the people. Should it be said that when the law declared they should consider all questions connected with the double returns, that it merely meant Senator Thurmaning, and at half-past seven o'clock the whole building was laid in ashes. The hvery stable and add up the certificates? What the Why, he has stood there knocking ever since enty-five thousand dollars; insurance not known.

Why, he has stood there knocking ever since on a subsequent day. Here there was no petent for you to go behind the action of the returning board of Louisiana for the purpose the senate shut its door in his face and sent received the same vote, or as if there had of finding out what happened in the exercise

ive States and vote by ballot for two persons,

and every letter in this constitution is as bindng on a State as on the United States.

Mr. Trumbull referred to the unanin

report made by the senate committee in 1873, and said: "What was the result of that re-port? The senate and house of representa-tives voted not to count the electoral vote of the State of Louisiana. Congress looked into it, and its committee reported that the votes had never been canvassed by anybody having authority to canvass them, and the result was that the vote of the State of Louisiana was

> at that time?
>
> Mr. Trumbull—It was required to be made Mr. Trumbull—It was required to be made but is there any statute requiring him to issue the returning board, which consisted then certificates to Presidential electors? of the governor, the secretary of state, the auditor and two other persons, and there was a question as to which was the true returning

beard had not made the canvass.

Mr. Trumbull—It was not decided in the

stated is that the persons who in fact made the examination and count, had no legal wenty-four hours, and such returns were not thing, it is a decision that a duly authorized

was no proper return of the votes cast by the electors in the State of Louisiana, and because there was no State government republican in form, and because the canvass in the count of the votes had been made prior to the meeting of the electors. Another objection of

The Presiding Justice (interposing)—You are entitled to the floor, Mr. Trumbull, and unless you yield proceed.

Senator Edmunds to Presiding Justice (with some asperity of tone)—Do you mean to say that a member of the commission can-

No signature.

SALEM, OREGON, December 5.

W. T. Pelton, 15 Gramercy Park, New York:

Can't you deposit the eight at Charles Dimond's, subject to the order of Ladd & Bush, Salem. Can't get money here. Must have it Wednesday. Telegraph me at Salem.

Vier will not fail ood for anything in that case it must be

> the mistake is so jurisdictional as to violate its return? Mr. Trumbull-No, sir; I do not contend for that. Justice Miller-Then my suggestion is that the jurisdiction of that board is to ascertain and declare who were elected, and that all below that is an exercise of the means and

sent. I assent entirely to the proposition that in any matter over which this board had jurisdiction and discretion to act, its judg-ment is not to be disturbed. The point which I make is whether it is its duty to canvass and compile the vote. It is also its sworn Judge Strong offered a substitute, giving oursel on each side two hours to argue the

Mr. Trumbull next argued against the le-Senator Inurnan moved an amendment, naking the time three hours. Rejected by that it was not competent for four persons to

until the board was full.

The presiding justice notified Mr. Trumwith his argument, saying that they were brought face to face with the question whether a President of the United States is to be made through fraud and villainy on the time was accorded him, which he use! in presenting objections to the electoral votes of Brewster and Levisse, who held Federal Justice Bradley—Do you intend to prove that they were Federal office-holders at the

illed the vacancies.

presence of the senate and house of repre- vides for filling all vacancies by popular elec- that a quo varranto can do, and because a to go behind the record on the journal, all sentatives, shall spen all the certificates, and the votes shall then be counted. That is all vacancies would have to be filled by a poputhe electors have got to do. This is a right, lar election. If the law of 1868 was in force not inherent in a State, but derivative from then the absence of these two electors would ne constitution of the United States, which give the others authority to fill the vacancies, is as much a part of the constitution of every provided anybody had been elected. If the next moment you have State as it is of the United States. Every word votes of Levisse and Brewster are to be coming forward and saying, "Oh, he

ejected."

Justice Bradley—Who made the canvass do not include Presidential electors.

Justice Bradley-It was held that the proper

report of the committee on privileges and, elections. Senator Morton-Have you the whole report there?
Mr. Trumbull—I have; one of the points

authority to do so. Senator Edmunds—Do I understand you to

similar import was made by Senator Trum-bull [III.].

was not conclusive.
Mr. Trumbull read Governor Warmoth's certificate in that case, and said that this one be approved by the governor, giving Black Hills a United States court, and assigning an associate-instice there are resident said of the proof thereof offered to be furnished by Mr. Trumbult.

The question sprung up as to the time to reprove of the concurrent action of the two houses. The Hills a United States court, and assigning an associate-justice there as resident judge, to take effect immediately on the ratification by congress of the agreement with the Siony. subject to objections, instead of fritting away fied, and I would like to know whether a count under such circumstances is any better than a count made by persons who had no right to count? If the action of congress is

binding on this commission. Jetice Miller-Allow me to make a point which came up in the Florida case, and to which I attach a great deal of importance. If the only thing that a Republican returning ard can do is to determine whether certain polls are to be counted or rejected, your argu-ment is a perfectly good one. But is it not also true that the jurisdiction of the board is mmensurate with the duties and functions which it has to perform; and is it not true that the one main fact which it has to perform is to ascertain who are the electors, and to declare that fact; and can it be said that if that board mistakes the law on some oints, while discharging that function, that

mode of procedure.

Mr. Trumbull—To that I cannot quite as-

Senator Edmunds-Your point is that no

steps could be taken by the returning board Mr. Trumbull—No step could be taken until the board was full, they having authority to fill it. Possibly a different rule might apply if they had not the power to fill vacancies; but the power being there, and the constituent elements of this returning board being required to consist of persons of dif-ferent political parties, I insist that the board could not go on without filling up the va-

Mr. Trumbull—Yes.
Justice Bradley—And that they were officeolders at the time they cast their votes?

Mr. Trumbull—No; I understand the proof vill show that Brewster tendered his resignation on the fourth of November, and that it was accepted on the sixteenth; and that, very singularly, it was accepted to take effect on the the fourth, some twelve days before it was received at the interior department. Senator Thurman-Does not the law of ouisiana provide that if an elector who has een chosen does not appear by a certain our, the remaining electors may proceed to

fill the vacancy?

Mr. Trumbull—There is such a provision in the act of 1868.

Senator Edmunds—But you say that the Senator Thurman—If that law was in force, Attention, Mardi-Gras Visitors! the senate shut its door in his face and sent received the same vote, or as if there had of finding out what happened in the exercise him away. Kellogg, then, is in no election on the seventh of November. Do not forget to pay a visit to the Great Do not forget Do

was not in force?

Senator Thurman-That is the law of 1872;

of Governor Kellogg was inoperative. It would be remembered that when the vote of Connecticut was counted, her governor—Mr. Ingersoll—was Presidential elector at large, and that his certificates had been received without objection, and that such objections were hardly suitable to the dignity of the occasion. It has also been objected to-day, and the objection has been urged with a good deal of zeal, that Governor Kellogg was not gov-ernor of Louisiana, and that Louisiana was governed by a military despotism. He sup-posed that that meant that the military force say that the judgment of the senate four years ago was on the question of fact as to what the real vote of the people of Louisiana was?

Mr. Trumbull—It is difficult to tell on what purpose of suppressing insurrection. The purpose of suppressing insurrection. The purpose of suppressing insurrection. Mr. Trumbull—It is difficult to tell on what consideration the senators vote. The certificate of the governor of Louisiana, in that case, was in proper form, and for some reason, both houses concurred in rejecting the vote of Louisiana, so that if this amounts to anything, it is a decision that a duly authorized certificate of a governor is not a conclusion.

To the President, ordered to Louisiana for the purpose of suppressing insurrection. The learned counsel [Carpenter] was right when he supposed, in saying that without such and the government of which Kellogg was the head, would have been overturned, but counsel louisiana, so that if this amounts to anything, it is a decision that a duly authorized certificate of a governor is not a conclusion. cation, and that it had been granted, was decisive evidence that he was the governor of
Louisiana. He argued that the returning
board was a legal body and had
the power to ascertain the vote
and finally certify it. It seemed
to him that the decision of the commission in
the Florida case determined the entire question here raised as to the right of the commission to go behind the action of the returnmission to go behind the action of the return-ing board, and he could not perceive that any

question, much less the main question, was now open for argument. He quoted against Mr. Trumbull's argument to-day from the re-port made by Mr. Trumbull to the effect that either the senate nor the house, nor both louses jointly, have the power under the constitution to canvass the returns of an election. The mode and manner of choosing electors was left to the States. He also quoted on the same point, a letter recently published from Ex-Judge Church, of New York, whom he coaracterized as a great lawyer, an upright judge and a pure politician. He went on to argue that the State corrects the frauds of its own officers, and does not apply to congress for that purpose, and that congress would best perform its duty by discharging it within its authority, leaving these occasional frauds, offered, to be provided for and taken care of tribunals having

them. Congress might have the power, but it did not have the right to disregard the highest local authority of a State. Continuing, in the course of his rgument to the objection to the returning board of Louisiana for not having filled the acancy in the board, he said the law on the ubject was merely directory, and that a failpolitics, would the board, he asked, cease to xist on that account? In conclusion, he said: Talk to me about outrage, frauds and disranchisement of votecs! There are two sides to the question, and if you sit here to go back and canvass the votes, you sit here to admin-

all elections, and furnishes the machinery or means of conducting all elections in the State, including the electoral college. But it may be asked, keep in force that provision of the act of 1870 never repealed by a new act, unless either by provision, or any fair interpretation, the conclusion that Louisiana has been disfranchised. In this process of legislation there is nothing to repeal that section which provides for the filling of vacancies under the law of 1868 and 1870,

except repealing the clause of the act of 1872 which says that "all other acts on the subject of election laws are hereby repealed." In

Do not forget to pay a visit to the Great Western Clothing House, and examine the immense stock of clothing and furnishing goods, which is being sold at such extremely low prices as never before heard of in the history of the clothing trade. Remember the number, 227 Main street.

Kenong, then, is in to because we denoted on the seventh of November at the formal person of the funding of the treshhold of this question I want to say that any intimation that because we deny the electors to fill the vacancies? Suppose that persons had been qualified but had not appeared?

Mr. Trumbull—Then if this statute of 1868 that we are seeking to escape scrutiny, is, I submit, utterly unjust. It has not eventure by the treshhold of this question I want to say that any intimation that the journat be corrected. Laid on the treshhold of this question I want to say that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that the journat be corrected. Laid of the treshhold of this question I want to say that any intimation that any intimation that the journat becomes the treshhold of this question. I want to say that any intimation that any intimation that any intimation that the journation of Northe and I want to say that any intimation that the power of going behind the finding of that the house had no right to make the journation. I want to say that the treshhold of this question I want to say that the treshhold of this question. I want to say that the treshhold of this question. I want to say the treshhold of this question. I want to peared?

Mr. Trumbull—Then if this statute of 1868 submit, utterly unjust. It has not adjourned.

Street database out find not appeared?

That we are seeking to escape scrutiny, is, I submit, utterly unjust. It has not adjourned.

THE RABLES. my friend to talk to us about this being an Senator Thurman—But, suppose that law attempt to put a man into the Presidency of the United States by fraud. We hear them Mr. Trumbull-Then there is a law to fill saying that "diversement," "legislative,"

that a quo scarranto can do, and because a quo scarranto can try this thing, you can try it." Then in another case we find these gentlemen coming up and saying: "Oh, Mr. Kellogg is governor of Louisiana, therefore he is no elector;" and then, the next moment you have them coming forward and saying, "Oh, he is not counted, and if a man is to be made President of the United States by counting their votes and the votes of Louisiana, then it is done by the mere forms of law, contrary to these principles of the constitution of the United States and in violation of the rights of the people. of the people.

Senzior Thurman—Is there any statute of Louisiana that requires the certificate of chapters in American history? By actual he governor?

Mr. Trumbull—There is a statute which equires the governor to commission all officers, that in this blighted and blasted State of Louisiana, four hundred and odd citizens have been murdered; murdered by plan, murdered y system, by organization; murdered for the purpose of pulling down the right of the black man to vote, and the thing has been Mr. Trumbull—No, sir, not specifically.
Mr. Stoughton followed with an argument on the Republican side. He expressed his surprise at the objection that the certificate gress of the United States, and I took the gress of the United States, and I took the gress of the United States, and I took the testimony of hundreds of men, and when I was taking it I generally sat with my feet in pools of human blood, shed in putting out free government in Louisiana, and they did put it out. Oh, right well and effectually rentlemen of America—that is a higher lesignation than gentlemen of the commis -remember that there is on trial to

night the question whether these laws made

n Louisiana in pursuane of article 103 of her

constitution, enjoining it on the legislature to make laws for the protection of the right of

freedmen to vote. If you fail to execute these laws you will have stable your coun-

The Constitutional Amendments-Joint Resolution Asking the United States Government to Re-imburse the Freedmen's Bank Victims.

The Bankruptcy Laws-Eads's Jetties-The Paris Exposition-Redistricting the State-County Court Appropriations and Expenditures.

The Dog Law-Correction of a Journal Entry-Members Mad over the Dog Law-Governor Porter's Par-

dons-His Indorsers. Special to the Appeat. NASHVILLE, February 14.-Senate.-The session was mainly occupied with the con-sideration and passage of bills on second reading, sweeping the calendar of all bills at that stage of the proceedings. House,—The Dyer petition, from the citizens of Lauderdale, asking that the line of ure to obey the law did not interfere in any manner with the capacity and jurisdiction of the board. If two or five members had been Democrats, and had afterward changed their changes to the establishing of a law and Democrats, and had afterward changed their changes for the By Mr. Brown: Asking assistance for the historical society. By Mr. Rogers: A com-mittee to consider the proposed amendment to the constitution reported. Grave doubts exist as to whether it went through the lasassembly in accordence with the ister the laws of Louisiana, and you must administer by learning who have been disfranchised and what was the lawful vote of that State, in harmony with her laws, and not in harmony with the will of a party."

assembly in accordence with the forms of law referring such questions to the house. It was made the special order of business for to-morrow. By Mr. Collier: To regulate the taxation of countries. By the same: To reduce the cost of the same that the same Mr. Shellabarger next addressed the com- criminal cases. By the same: Fixing nission on the same side. He argued that the maximum rate charged by street-rail-he act of 1872 did govern in 1876, during road companies at five cents. By the same: the Presidential election, and that the revisory act of 1870, which provided for a canvass of the returns by the board and governor, was repealed and was not in force in 1870, for the terminal provided for a canvass of the returns by the board and governor, was repealed and was not in force in 1870, for discretion as to the number of indictments repealed and was not in force in 1870, for discretion as to the number of indictments that provision which made the governor a which they wish to return against the same anvasser for the purpose of election was person in misdemeanor cases. By Mr. Enloe: inconsistent with the fifty-fourth section of the session act of 1870, which expressly provides a different tribunal for all elections, including the electoral college. It was also whereas the Federal government has taken repealed by repealing the clause of the session act of 1870. The election of 1872 applies to men's bank for filching the hard-earned savings of the colored people, that congress should take steps, without delay, looking for substantial justice to the defrauded depositors; that, since these officials were allowed to use the State, including the electoral college. But it may be asked, said the speaker, how you can preserve and said the speaker, how you can preserve and ing the electoral college, consistently with that which you have just been stating? I answer, first of all, that it is an exceedingly benign canon of interpretation that a law is demonetizing silver be repealed. Lies over. expressly so done, or else the repugnance be | The joint resolution asking congress to repeal

such that it would be impossible for two acts to stand together; and in using this language I am but repeating the words of the supreme court of the United States, as announced on many occasions. Another rule of interpretation is this: That in cases of doubt, whenever an interpretation would lead to consequences that are either absurd or hurtful to the public welfare, and that the interpretation will never be tolerated unless its of a committee to ascertain in what manner escape is impossible. The next question is this: Is it possible to escape the conclusion that, under the legislation of Louisiana. Louisiana was disfranchised? And I invite the gentlemen on the other side, who suppose this act is repealed by which only the electoral college can be filled to show me some oral college can be filled, to show me some statute that forces upon you, either by direct, rected; the committee on finance, ways and means reported house bill number ten for rejection, and recommended number forty-nine for passage, while both bills went for the repeal of the whole act. The journal showed hat he moved to non-concur in the r port of the committee. When he move non-concur in the report, so far as the rec of election laws are hereby repealed." In every case of doubt the practical construction that has been given the law is conclusive. bill had been rejected no bill containing the This law has been practically construed as applicable to a Presidential election, for all applicable to a Presidential election, for all the Presidential elections that have been held since it has been on the statute-book have been conducted under it, the number being, in fact, three. The counsel proceeded to argue that Kellogg was the rightful governor of Louisiana, and continued as follows: Now, I take the language of the supreme court of the United States. It is in these words:

"It rests with congress to decide what is the gstablished one in a State, and when the senators and representatives from a State opinion that there was nothing in the world the senators and representatives from a State opinion that there was nothing in the world are admitted into the councils of the Union, the authority of the government under that appeared in the paper this morning. which they are appointed, as well as its re-publican character is recognized by the proper constitutional authority, and its decision is binding on every department of the marked that the journal placed him in a bad government, and could not be questioned in predicament. Mr. Speaker Taliaferro said building was laid in ashes. The livery stable of Charles Ganson was next consumed; then followed the liquor store of Gugenhem & Gardner; the billiard-rooms of B. Christiancy; the grocery of C. Stockard, and many other business houses. The fire was in the center of the town, and destroyed the principal business portion of the city. At eleven o'clock the fire was under control. Loss, sevently thus and dollars; insurance not known. O'Brien was called to the entry made of the journal that house bill No. 21

> Considerable uneasiness was caused among he members of the house to-day by the dis-overy of the fact that the thoughtless rejecion of one or two bills for the repeal of the voted for and the number of votes for each, which list shall be signed, certified and transmitted, sealed, to the seat of general government, directed to the president of the senate.
>
> The president of the senate then, in the votes for each, which list shall be signed, certified and transmitted, sealed, to the seat of general government, directed to the president of the senate.
>
> The president of the senate then, in the votes for each, Representative Hunton—Except by election.
>
> The president of the senate then, in the votes for each, Representative Hunton—Except by election.
>
> The president of the senate then, in the votes for each, rescutive, and "judicial," and "complete," and that congress could not exercise judicial powers, and the very next moment judicial powers, and the very next moment judicial powers, which list shall be signed, certified and transmitted, sealed, to the seat of general government, or in the votes for each, Representative Hunton—Except by election.
>
> The president of the senate then, in the votes for each, Representative Hunton—Except by election.
>
> The president of the senate then, in the votes for each, and "complete," and that congress could not exercise to built this session, under the constitution.
>
> The members were busily conferring during the day, resulting in Mr. Brien rising to a personal explanation, in which he tried

leging a misapprehension by the clerk of the house's action at the time of the rejection. several members, among them Mr. Peters. opposed a change of the record, or laying the blame on the clerk. The matter caused them great deal of amnsement at the expense of is not the law-makers, and the fact regarded singular, that the city papers and house journal should report the same action upon bills if such action had not been actually taken. The case, in the supreme court to test the constitutionality of the dog law being agreed and understood, will be decided Saturday. THE GOVERNOR'S PARDONS.

NASHVILLE, February 13.—Inasmuch as

Special Correspondence of the Appeal.]

Sovernor Porter has been somewhat severely criticised with reference to the pardon of Chastaine, Eason and Wren, I asked him to relate to me the causes which led him to the exercise of executive elemency with regard to exercise of executive elemency with regard to them. He responded: "I pardoned Chastaine upon the recommendation of the jury before whom he was tried, and upon the recommendation of Judge Ray, Judge Stockton, J. M. Keating, J. Harvey Mathes, Tom Holman, Sheriff Anderson, Chief Athy, J. J. Rawkings, R. F. Coleman, County, Attorney Rawlings, B. F. Coleman, County-Attorney
Taylor, Mr. Reilly, county court clerk; Mr.
Perkins, criminal court clerk; Mr. Frankland, tax collector; Mr. Royster, county assessor; Captain E. A. Cole, M. D.
L. Stewari, Geo. B. Fleece, E. Ensley, General Gordon, Jerome Hill, Joshua Brown, jr.,
C. W. Pearson, all the members of the firm
of Clarke, Johnson & Co., and many others of Clarke, Johnson & Co., and many others of the best citizens of Shelby county. The Avalanche, too, of January 11, 1876, refer-ring to the verdict in the case against Chasaine, said: "Circumstances unknown to the ublic modify this sentence, and would justiy the governor in a pardon," Eason was pardoned on Christmas day, upon the recom-nendation of the warden of the prison and mendation of the warden of the prison and the foreman of the foundry, for good conduct. His pardon had previously been warmly recommended by two out of three of the jurors who tried him, who now live in Tennessee, and by Governov Isham G. Harris, Hon. Emerson Etheridge, Colonel George Gantt, J. W. Eldridge, William Malone, and many other citizens of Shelby county, and by General Quarles, of Montgomery; Judge David Campbell, of Williamson; John Overton, of Davidson, and nearly all of the men and women of Hickman county. On the nen and women of Hickman county. On the ourteenth of December, 1876, at a meeting fourteenth of December, 1876, at a meeting of the inspectors and superintendent of the prison—present, General Samuel R. Anderson, J. G. Sawyers, and General B. F. Cheatham—a resolution was adopted requesting the governor to pardon John Wren, because of his good conduct. The lesses joined in the application. The laws of the State require the prison officials to "report to the governor from time to time, such of the convicts as may distinguish themselves for industry and may distinguish themselves for industry and good morals, and who, by exemplary con-duct, may have evinced signs of reformation, and upon this recommendation the governor may remit a portion of the convict's impris-

The reimprisonment of Wren on account of his failure to comply with the conditions of the pardon granted to him is already known to you. Governor Porter never acts hastily, but with calm deliberation, and I am satisfied that he would pardon no convict without first having thoroughly satisfied him-self, by close investigation, that his action would be fully sustained by the facts.

MARRIED. WILLIAMS-LOMBARD-At the residence of T. Trezevant, in this city, on the 14th inst., by Rev Dr. White, Mr. FRANK WILLIAMS, of Jackson, Tenn.,

DeSoto Building and Loan Association.

THE February meeting for making of Loans will be held TO NIGHT, at 7½ o'clock, at the usual place. JAMES ELDER, President. Memphis, February 15, 1877. NOTICE.

A LL ACCOUNTS AND NOTES DUE

BOYLE & CO., not paid before Monday, February 19, 1877, will be put in the hands of a constable for collec-tion. J. A. OMBERG, Assignee

DISSOLUTION. THE copartnership heretofore existing between
Jesse A. Forrest and J. B. Faires and W. A.
Faires, under the firm name of Forrest & Faires, has this day been dissolved by mutual consent. All claims against the firm will be paid upon presentation.

J. A. FORREST.
J. R. FAIRES. Memphis, February 7, 1877. W. A. FAIRES.

The Having sold to Jesse A. Forrest & Co. our interest in the City Stables, we hereby solicit for him, from all stock drovers, the liberal patronage heretofore bestowed on the old firm.

J. B. FAIRES.

W. A. FAIRES.

NEW FIRM.

A PROPOS of the above cards, we desire to say to our customers, who are buyers of stock, that No. 55 Union Street, (Hall's old stand), where we will keep, at all times, a full supply of MULES and HOBSES, of all grades, selected by us personally, with a view of supplying the wants of our planters and farmers. We will guarantee all stock as represented, and solicit for our new firm the friendly patronage so cheerfully ac-

corded us ever since our first opening in Memphis.

J. B. & W. A. FAIRES. **OLIVER, FINNIE & CO** GROCERS.

Memphis, : : : Tennessee 200 Hogsheads Sugar, all kinds.
200 Barrels N. V. Reflued Sugar.
500 Bags Rio Coffee.
100 Bags Old Government Java Coffec.
50 Tierces Hams.
50 Roxes Breakfast Bacon.
1000 Buckets Fairbank's Lard.
50 Half-barrels Fairbank's Lard.
50 Tierces Fairbank's Lard.
100 Cases 3, 6 and 10-pound Tin Lard.
100 Barrels Louisiana Rice.
25 Tierces South Carolina Rice.
50 Barrels Missouri Cider.
25 gross Bixby's Best Blacking.

Oliver, Finnie & Co. Washing Made Easy!

MERRILL'S

Washing Compound!

It saves half the labor.

Saves wear and tear of clothing.

STAMPED CHECSK

ALL THE BANKS,

S. C. TOOF'S

15 Court Street. Attachment Notice.

Attachment Notice.

Before Thomas Fleming, J. P. for Shelby county,
Tennessee Geo. Hunter vs. Harry F. Farnsworth.
In this cause an attachment having been sued out
under section 3455 of the Code of Tennessee, and
returned levied upon the property of the defendant;
and affidavit having been made that the defendant;
is indebted to the plaintiff in the sum of \$25, due
by note, that the claim is just, and that the defendant
is indebted to the plaintiff in the sum of \$25, due
by note, that the claim is just, and that the defendant
is a non-resident of the State of Tennessee.
It is therefore ordered, That the said defendant
make his personal appearance before Thomas Fleming. J. P., on the 16th day of March, 1877, at his
office, 285 Main street, in the city of Memphis, Tennessee, and defend said attachment sun, within the
time prescribed by law, or the same will be proceeded with exparte; and that a copy of this order
be published once a week, for four consecutive weeks,
in the Memphis tones. during the day, resulting in Mr. Brien rising in the Memphis Appeal. This February 15, 1877. to a personal explanation, in which he tried thu THOMAS FLEMING, J. F.